

In the Court of Appeals of the State of Alaska

Peter Ballot,

Appellant,

v.

State of Alaska,

Appellee.

Trial Court Case No. **2KB-09-00215CI**

Court of Appeals No. **A-12546**

Order

Motion to Dismiss Jason Weiner
Appointee

Date of Notice: **4/24/2019**

The Appellant, Peter Ballot, is represented by attorney Jason Weiner in this appeal. Mr. Ballot has recently filed a pro se pleading asking that this Court dismiss Mr. Weiner from his representation of Mr. Ballot. Normally, this Court will not accept a pro se pleading from a represented litigant, but the Court will make an exception in this case.

Because Mr. Ballot is represented at public expense (by contract through the Office of Public Advocacy), he does not have the right to dismiss appointed counsel in the absence of any showing of cause for that change. *See Mute v. State*, 123 P.3d 1081, 1088 (Alaska App. 2005). Mr. Ballot has not provided this Court with a sufficient showing of cause for dismissing Mr. Weiner. More importantly, in the present case, the briefing has long been completed and Mr. Ballot's appeal is currently under consideration by this Court. In practical terms, this means that Mr. Weiner now has only minimal responsibilities remaining in this case regarding his representation of Mr. Ballot.

For these reasons, Mr. Ballot's pro se motion to dismiss his attorney is **DENIED**. The Clerk of the Appellate Courts is directed to provide a copy of this Order as well as a copy of Mr. Ballot's recent pleadings to Mr. Weiner and to the State.

Entered under the authority of Chief Judge Allard.

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April 24, 2019

Clerk of the Appellate Courts

A handwritten signature in dark ink, appearing to read "K. Roberts", written over a horizontal line.

Kyle Roberts, Deputy Clerk

Distribution:

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